

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
NICHOLAS PRUSINOWSKI,
Defendant.

NO. CR24-063-RSM

ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Nicholas Prusinowski's interest in a sum of money (also known as a forfeiture money judgment) in the amount of \$1,500 reflecting the proceeds Defendant Prusinowski personally obtained from *Conspiracy to Distribute Controlled Substances*, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 846.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- The proceeds of *Conspiracy to Distribute Controlled Substances*, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 846, are forfeitable pursuant to 21 U.S.C. § 853(a);

- 1 • In his Plea Agreement, Defendant Prusinowski agreed to forfeit, pursuant
- 2 to 21 U.S.C. § 853(a), the proceeds he obtained from the Conspiracy to
- 3 Distribute Controlled Substances, to which he entered a guilty plea
- 4 (Dkt. No. 70, ¶ 14);
- 5 • The forfeiture of this sum of money is separate and distinct from the
- 6 restitution ordered in this case;
- 7 • The forfeiture of this sum of money is personal to Defendant Prusinowski
- 8 and, pursuant to Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”)
- 9 32.2(c)(1), no third-party ancillary process is required before forfeiting it;
- 10 and
- 11 • The forfeiture of this sum of money will be final upon sentencing.
- 12

13 NOW, THEREFORE, THE COURT ORDERS:

- 14 1. Pursuant to 21 U.S.C. § 853(a) and his Plea Agreement, Defendant
- 15 Prusinowski’s interest in a sum of money in the amount of \$1,500 is fully and finally
- 16 forfeited, in its entirety, to the United States;
- 17 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become
- 18 final as to the Defendant Prusinowski at the time he is sentenced; it will be made part of
- 19 the sentence; and, it will be included in the judgment;
- 20 3. No right, title, or interest in the identified sum of money exists in any party
- 21 other than the United States;
- 22 4. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this Order forfeiting
- 23 the sum of money, in whole or in part, the United States may move to amend this Order,
- 24 at any time, to include substitute property having a value not to exceed \$1,500; and

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